

Filed for intro on 02/02/95
House Bill _____
By _____

Senate No. SB0827
By Cooper

AN ACT to amend Tennessee Code Annotated, Title 65, Chapter 4, relative to telecommunications services regulated thereunder.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The General Assembly finds that competition is generally technologically and economically feasible in the provision of telecommunications services in this state, and declares that the statutory restrictions for the certification of telecommunications carriers are no longer generally appropriate.

SECTION 2. Tennessee Code Annotated Section 65-4-203(a) is amended by changing the period at the end of the subdivision to a semicolon and by adding the following language:

provided, however, that in geographic areas served by a local exchange carrier with more than one hundred thousand (100,000) access lines in this state, the Commission may grant a certificate to any competing telecommunications carrier on a determination that the applicant for such a certificate has the managerial, financial, and technical ability to provide the telecommunications services for which it applied and that the granting of

the application would facilitate the development of effective competition for the provision of such telecommunications services.

SECTION 3. Tennessee Code Annotated Section 65-4-115 is amended by designating the present section as subsection (a) and by adding a new subsection (b) as follows:

(b) All telecommunications carriers regulated under this chapter shall provide non-discriminatory interconnection to their public networks under reasonable terms and conditions to authorized competing telecommunications carriers in order to assure that effective competition can develop.

SECTION 4. Tennessee Code Annotated Title 65, Chapter 4, is amended by adding the following language as a new appropriately designated section:

Section 65-4-____. In order to foster the availability of telecommunications services to all Tennesseans and to protect the interest of consumers of telephone service in Tennessee, the Commission shall adopt, by rule, a mechanism to ensure the availability of universal service, which shall define essential telecommunications services, designate means by which those services shall be provided, provide policies for the rates and charges to be paid for such services, and provide policies for the support of such mechanism by all authorized telecommunications carriers on an equitable basis.

SECTION 5. The Commission shall file a report with the Speakers of each House on or before December 31 of each year, reviewing the status of competition in the provision of telecommunications services in this state, the development of policies and procedures concerning universal service and the implementation of the policies expressed in this Act.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.